

**REVENUE: No revenue impact**

**FISCAL: May have fiscal impact, statement not yet issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed and Be Referred to the Joint Committee on Ways and Means by prior reference

**Vote:** 6 - 2 - 1

**Yeas:** Dallum, Komp, Krummel, Lim, Whisnant, Buckley

**Nays:** Greenlick, Roblan

**Exc.:** Clem

**Prepared By:** Derrick Olsen, Administrator

**Meeting Dates:** 02/06, 4/19 (both Subcommittee on Education Innovation), 4/27

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**WHAT THE MEASURE DOES:** Defines a virtual public charter school. Adds a provision allowing charter school applicants to apply for a waiver of the rule that 50 percent of its students must reside in a district in which the charter school is located. Provides a detailed framework of requirements a virtual public charter school must meet before the State Board of Education can waive the rule that 50 percent of its students must reside in a district in which the charter school is located. Provides an appeals mechanism if the Board denies the virtual public charter school's request for a waiver. Directs reporting requirements for a virtual public charter school granted a waiver. Clarifies that these waiver procedures do not apply to existing public charter schools until the school's charter is amended or renewed. Applies to school years starting in 2007-2008. Declares an emergency, effective July 1, 2007.

**ISSUES DISCUSSED:**

- Public charter schools and virtual learning
- Applicability of current statutes to public charter schools whose charter was signed prior to law being enacted
- State Board of Education currently has general waiver ability but not specific guidelines
- Appeals process language
- Work group discussion of issues involving virtual public charter schools

**EFFECT OF COMMITTEE AMENDMENT:** The amendment replaces the entire text of HB 2037.

**BACKGROUND:** Current statute establishes requirements for enrollment of students in public charter schools. Public charter schools that offer any online courses are required to have at least 50 percent of its students reside in the district in which the school is located. The State Board of Education currently has the ability to grant a waiver to this requirement, but there are no guidelines for the Board to determine a waiver.

It is unknown as to the number of public charter schools that are impacted by current statute. However, schools such as Oregon Connections Academy (ORCA), a virtual public charter school with most of its students living outside of the Scio School District (the authorizing district for ORCA), contend that they are exempt from this section of current law because the school district's contractual agreement with Connections Academy, the national organization, predates this section of Oregon law.